

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

HALEY IP, LLC,

*Plaintiff,*

v.

Case No. 6:23-CV-0052-JKP

MOTIVE TECHNOLOGIES, INC.,

*Defendant.*


**ORDER DENYING MOTION**

Before the Court is *Defendant's Unopposed Motion to Vacate Transfer Order* (ECF No. 31). Yesterday, this Court transferred this action generically to the United States District Court for the Northern District of California based on the parties' consent to transfer. After the Clerk of Court transferred the case as directed, Defendant moved to vacate the transfer order because the parties want the case transferred specifically to the San Jose court for the Northern District of Texas. As the Court noted, court for the Northern District of California is held in Eureka, Oakland, San Francisco, and San Jose, but these locations are not divided into separate divisions based upon geographical boundaries of the counties comprising the Northern District. *See* 28 U.S.C. § 84(a). The motion to transfer failed to identify any particular court of the Northern District for which this Court should transfer this case.

Because the various district courts may handle transfers differently, this Court is unsure how the Northern District of California assigns cases received via transfer. It is quite possible that this case lands in the San Jose court under the current transfer order. Vacating the transfer order at this point seems unduly problematic and perhaps entirely unnecessary. Given these uncertainties, the Court **DENIES** the motion to vacate the transfer order. At this juncture, the better process is

for the parties to seek a transfer in the receiving court should the San Jose court not receive the transferred case.

**IT IS SO ORDERED this 14th day of June 2023.**

  
**JASON PULLIAM**  
**UNITED STATES DISTRICT JUDGE**